

DISCIPLINARY ACTION

SUSPENSION OF ONE YEAR – Patrick E. Vanderslice Supreme Court No. 428, 2012. Effective Date: October 12, 2012

By order dated October 12, 2012, the Supreme Court of Delaware (“Court”) suspended Patrick E. Vanderslice from the practice of law in Delaware for one year for violations of the Delaware Lawyers’ Rules of Professional Conduct. The Court approved the findings of the Board on Professional Responsibility (“Board”) that Mr. Vanderslice engaged in criminal and dishonest conduct, concluded Mr. Vanderslice’s conduct was prejudicial to the administration of justice, and ordered the sanction of suspension.

The Board found Mr. Vanderslice engaged in both criminal conduct (**Rule 8.4(b)**) and conduct involving “dishonesty, fraud, deceit or misrepresentation” (**Rule 8.4(c)**), when he stole earned fees from his firm on eight occasions between December 2010 and September 2011. After discovering he was stealing fees, Mr. Vanderslice’s firm confronted him, and he confessed to the misconduct. These thefts also violated professional conduct rules obligating an attorney (1) to hold funds owed a third party (his law firm) separate from personal funds (**Rule 1.15(a)**), and (2) to promptly notify and deliver to a third party (his law firm) funds owed (**Rule 1.15(b)**). In addition to approving the Board’s finding Mr. Vanderslice committed “criminal act[s] that reflect adversely on the lawyer’s honesty, trustworthiness or fitness as a lawyer,” the Court found Mr. Vanderslice’s criminal conduct “prejudicial to the administration of justice” (**Rule 8.4(d)**). The Court explained crimes “involving ‘violence, dishonesty, breach of

trust, or serious interference with the administration of justice’ are categorically” prejudicial to the administration of justice. The Court also approved the Board’s finding that Mr. Vanderslice “generat[ed] deficiently drafted retainer agreements” (**Rule 1.5(f)**).

In addition to other factors, the Court considered Mr. Vanderslice’s “substantial experience in the practice of law” and “his involuntary reporting to the ODC that resulted from ‘firm scrutiny and action,’ and not from his voluntary self-reporting” as aggravating factors. The Court also noted that “[i]f [Mr. Vanderslice’s] depression is unrelated to his misconduct, then evidence of [his] ongoing therapy is irrelevant.”

The Court of Chancery appointed Michael R. Smith, Esquire, (302) 875-5595, Receiver of Mr. Vanderslice’s law practice.